

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GUIDANCE ENDODONTICS, LLC,
a New Mexico Limited Liability Company,

Plaintiff,

vs.

No. CIV 08-1101 JB/RLP

DENTSPLY INTERNATIONAL, INC.,
a Delaware Business Corporation, and
TULSA DENTAL PRODUCTS, LLC,
a Delaware Limited Liability Company,

Defendants.

and

DENTSPLY INTERNATIONAL, INC.
and TULSA DENTAL PRODUCTS, LLC,

Counter Plaintiffs,

vs.

GUIDANCE ENDODONTICS, LLC
and DR. CHARLES GOODIS,

Counter Defendant.

MEMORANDUM OPINION AND ORDER

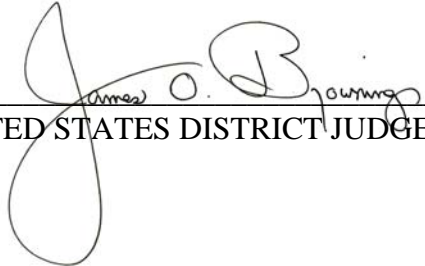
THIS MATTER comes before the Court on Dentsply/TDP's Objections to G/G's Proposed Voir Dire Questions (Doc. 309), filed September 10, 2009 (Doc. 313). The Court held a hearing on September 18, 2009. The primary question is whether the Court should permit Plaintiff and Counterdefendant Guidance Endodontics, LLC and Counterdefendant Dr. Charles Goodis to ask proposed voir dire questions numbered 3, 7, 11, 12, 15, 16, and 17. For reasons stated on the record,

the Court will overrule the objections with respect to questions 3, 7, 11, 12, and 16. The Court will sustain the objections with respect to questions 15 and 17, but permit the questions to be asked as modified during the hearing.

First, question 15 originally read: "Have you or a member of your family ever tried to sell a product that you or they made?" The Court will sustain the Defendants' objection to this question, but will allow Guidance to ask the question in the following form: "Have you or a member of your family ever tried to sell a product?"

Second, question 17 originally asked: "Have you or a member of your family ever had to sign a non-compete agreement?" The Court will sustain the Defendants' objection to this question, but will allow Guidance to ask the question in the following form: "Have you or a member of your family ever signed a non-compete agreement?"

IT IS ORDERED that Dentsply/TDP's Objections to G/G's Proposed Voir Dire Questions is sustained in part and overruled in part, as set forth in more detail above.



UNITED STATES DISTRICT JUDGE

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